

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 **ORDER OF THE CHIEF JUDGE**  
11 **RE: REASSIGNMENT OF CASES**  
12 **PENDING BEFORE**  
13 **THE HONORABLE FERN M SMITH**

14 \_\_\_\_\_ /  
15  
16 **No**    **C 03-5777 FMS**  
17            **C 04-0297 FMS**  
18            **C 04-0672 FMS**  
19            **C 04-1291 FMS**  
20            **C 04-1907 FMS**  
21            **C 04-2269 FMS**  
22            **C 04-2780 FMS**  
23            **C 04-3474 FMS**  
24            **C 04-3699 FMS**  
25            **C 04-3715 FMS**  
26            **C 04-3781 FMS**  
27            **C 04-3927 FMS**  
28            **C 04-4041 FMS**  
29            **C 04-4448 FMS**  
30            **C 04-4854 FMS**  
31            **C 04-4941 FMS**  
32            **C 04-5187 FMS**  
33            **C 04-5307 FMS**  
34            **C 04-5413 FMS**  
35            **C 04-5511 FMS**  
36            **C 05-0157 FMS**  
37            **C 05-0223 FMS**  
38            **C 05-0293 FMS**  
39            **C 05-0533 FMS**  
40            **C 05-0623 FMS**

41  
42            **Because the Honorable Fern M Smith, to whom the above cases**  
43            **were assigned, will retire effective June 30, 2005, these cases are re-assigned**  
44            **as follows:**

45  
46            **On or before July 29, 2005, the parties may select one or more of**  
47            **the following magistrate judges to conduct any and all proceedings, including**  
48            **trial and entry of judgment pursuant to 28 USC § 636(c)(1) :**

**Honorable James Larson, Chief Magistrate Judge**  
**Honorable Edward M Chen, Magistrate Judge**  
**Honorable Maria-Elena James, Magistrate Judge**  
**Honorable Elizabeth D Laporte, Magistrate Judge**  
**Honorable Joseph C Spero, Magistrate Judge**  
**Honorable Bernard Zimmerman, Magistrate Judge**

8                   Upon filing with the court a selection and consent form signed by  
9 all parties (or one for each party), the case will be re-assigned to one of the  
10 magistrate judges chosen by the parties. A magistrate judge selection and  
11 consent form is attached for the parties' convenience.

12                   **In the event the parties fail timely to consent to a magistrate judge,**  
13                   **the clerk is directed to re-assign the case to a United States district judge**  
14                   **selected at random from the active and senior judges of the court.**

## IT IS SO ORDERED.

  
Vaughn R Walker

**VAUGHN R WALKER**  
**United States District Chief Judge**

United States District Court  
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 Plaintiff,

12 v

13 No C \_\_\_\_\_ FMS

14 **SELECTION OF AND CONSENT  
TO PROCEED BEFORE A  
MAGISTRATE JUDGE**

15 **Defendant.**

16 \_\_\_\_\_ /  
17  
18 In accordance with the provisions of 28 USC § 636(c), all parties to this  
19 action hereby consent to have Magistrate Judge(s) \_\_\_\_\_, or  
20 \_\_\_\_\_, or \_\_\_\_\_ conduct any and all  
21 further proceedings in the case, including trial, and order the entry of a final  
22 judgment. Appeal from the judgment shall be taken directly to the United States  
23 Court of Appeals for the Ninth Circuit.

24  
25 Dated: \_\_\_\_\_

26 Signature

27 Counsel for \_\_\_\_\_  
(name of party, indicate plaintiff or defendant)

28

1 Dated: \_\_\_\_\_

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**Signature**

Counsel for \_\_\_\_\_  
(name of party, indicate plaintiff or defendant)

5 | Dated: \_\_\_\_\_

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**Signature**

Counsel for \_\_\_\_\_  
(name of party, indicate plaintiff or defendant)

Dated: \_\_\_\_\_

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**Signature**

Counsel for \_\_\_\_\_  
(name of party, indicate plaintiff or defendant)